

REMARKS

Claims 1-19, 21, 23-25, 27, 28 and 30 are pending in the application.

Applicant thanks the Examiner for the courtesy of the telephonic interview on April 15, 2009. In that interview, the Examiner clarified that the remarks at page 3 of the outstanding Office Action referring to a “metal foil” limitation (which was deleted in a prior amendment) still stand with regard to the current claim 1 because it is the Examiner’s position that the reference cited and discussed therein remains pertinent to the “metal layer” limitation of claim 1.

Claims 1, 9, 11, 28 and 30 have been rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent Application Publication No. US 2002/0173354 to Winans (“Winans”) in view of U.S. Patent No. 6,856,086 to Grace et al. (“Grace”). This rejection is respectfully traversed as follows.

It is respectfully submitted that the currently pending independent claim 1 is patentable over Winans in view of Grace. The Office Action acknowledges that Winans fails to teach a substrate comprising both an upper substrate layer comprised of a plastic, polymer or a dielectric and a lower metal substrate layer, and the lower electrode is formed on the upper substrate layer. Furthermore (and as a consequence of this deficiency of Winans), Winans fails to teach or suggest that the metal layer and upper substrate layer are disposed such that light generated as a result of the electroluminescence directed towards the metal layer through the upper substrate layer is reflected back to the at least semi-transparent upper electrode layer for enhancing light output from the flexible organic light emitting device, as recited in independent claim 1.

It is respectfully submitted that Grace does not make up for the deficiencies of Winans. Grace does not teach or suggest a metal layer that reflects light. The substrate structure in Grace is not limited to layers 32 and 40 of Figure 1 referred to in the Office Action, but rather includes a number of additional layers. More particular, that substrate structure in Grace additionally includes at least the barrier layer 42, and internal protective layer 46, noting that the only layer having been described as optional is layer 44, see column 7, lines 3 to 25 of Grace.

The outer-side protective layer 40 cannot function to reflect light generated as a result of the electroluminescence back to the upper electrode layer for enhancing light output, as defined in claim 1. This is because the internal protective layer 46 has the function of protecting the

layers underneath, including outer-side protective layer 40, from laser light used to pattern the back electrodes on top of the internal protective layer 46. With such a substrate structure, there is no disclosure or suggestion, and it appears indeed to be impossible, that light generated as a result of electroluminescence in the organic light emitting device would ever reach the outer-side protective layer 40, let alone that the light would be reflected back to the upper electrode layer for enhancing light output from the light emitting device, as claimed in claim 1. Significantly, therefore, having substituted the substrate structure comprising at least layers 40, 32, 42 and 46 of Grace for the reflective metal foil in Winans, that combination still fails to provide a metal layer as defined in claim 1.

For at least these reasons, it is respectfully submitted that independent claim 1 and the claims that depend therefrom are patentable over Winans in view of Grace.

Claims 1, 2-8, 12-13, 15 and 23-24 have been rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent Application Publication No. US 2003/0178937 to Mishima ("Mishima") in view of Grace. This rejection is respectfully traversed as follows.

It is respectfully submitted that the combination of Mishima and Grace does not teach or suggest all the features of independent claim 1. As acknowledged by the Office Action, Mishima fails to teach that a metal layer is reflective such that light generated as a result of the electroluminescence is reflected back to the at least semi-transparent upper electrode for enhancing light output from the flexible organic light emitting device, as recited in independent claim 1. It is respectfully submitted that Grace does not make up for this deficiency for at least the reasons discussed above. This is because the internal protective layer 46 of Grace has the function of protecting the layers underneath, including outer-side protective layer 40, from laser light used to pattern the back electrodes on top of the internal protective layer 46. With such a substrate structure, there is no disclosure or suggestion, and it appears indeed to be impossible, that light generated as a result of electro-luminescence in the organic light emitting device would ever reach the outer-side protective layer 40, let alone that the light would be reflected back to the upper electrode layer for enhancing light output from the light emitting device, as recited in claim 1. For at least these reasons, it is respectfully submitted that independent claim 1 and the claims that depend therefrom are patentable over Mishima in view of Grace.

Regarding claim 2, it is respectfully submitted that paragraph [0033] of Mishima, cited by the Office Action, does not teach or suggest an interfacial modified surface of the anode, as recited in claim 2.

Similarly, in relation to claim 3, there is no disclosure or suggestion in paragraph [0033] of Mishima to modify a surface of the anode, let alone disclosure of a modification using inorganic or organic materials or a TCO, as recited in claim 3.

Claim 10 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Winans and Grace in view of U.S. Patent No. 6,597,111 to Silvernail et al. ("Silvernail"). This rejection is respectfully traversed as follows.

It is respectfully submitted that claim 10 is patentable for at least the reasons discussed above with respect to the rejection over Winans in view of Grace because claim 10 depends from independent claim 1.

Claims 14 and 25 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Mishima and Grace in view of U.S. Patent Application Publication No. 2004/0149984 to Tyan et al. ("Tyan"). This rejection is respectfully traversed as follows.

It is respectfully submitted that claims 14 and 25 are patentable for at least the reasons discussed above with respect to the rejection over Mishima in view of Grace because claims 14 and 25 indirectly depend from independent claim 1.

Claims 16-19 and 21 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Mishima and Grace in view of Silvernail. This rejection is respectfully traversed as follows.

It is respectfully submitted that claims 16-19 and 21 are patentable for at least the reasons discussed above with respect to the rejection over Mishima in view of Grace because claims 16-19 and 21 indirectly depend from independent claim 1.

Claim 27 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Mishima and Grace in view of U.S. Patent Application Publication No. 2003/0234608 to Lee et al. et al. ("Lee"). This rejection is respectfully traversed as follows.

It is respectfully submitted that claim 27 is patentable for at least the reasons discussed above with respect to the rejection over Mishima in view of Grace because claim 27 indirectly depends from independent claim 1.

Conclusion

It is believed that the present application is in condition for consideration and allowance. If necessary, the Commissioner is hereby authorized in this and concurrent replies to charge payment (or credit any overpayment) to Deposit Account No. 50-2298 of Luce, Forward, Hamilton & Scripps LLP for any additional required fees.

Respectfully submitted,

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Date



Eric L. Lane
Registration No. 56,399
Attorney for Applicants

LUCE, FORWARD, HAMILTON & SCRIPPS LLP
11988 El Camino Real, Ste. 200
San Diego, California 92130
Telephone No.: (858) 720-6300

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